

**REMARKS**

This is in reply to the Notice of Non-Compliant Amendment dated February 12, 2009 in which claim markings were indicated as being incorrect. The Examiner indicated that claim 1 lacked correct underline markings. Claim 1 has been re-presented to conform to U.S. Patent practice.

The remarks below are reproduced from the originally submitted Response filed October 10, 2008.

No new matter has been introduced, and entry of the revised claims is respectfully requested.

Claim 1 has been revised to clarify the claim as featuring a solid inner tube and a solid outer tube. Support for this revision can be found at least on pages 2-4 and Figures 1-4 of the specification as filed.

New claims 2-7 have been introduced. Support for claim 2 can be found at least on page 4, lines 3-4 of the specification as filed.

Support for claims 3-5 can be found at least in on page 4, lines 3-4 and Figures 3-4 of the specification as filed.

Support for claim 6 can be found at least on page 4, lines 1-3 of the specification as filed.

Support for claim 7 can be found at least on page 2 of the specification as filed.

**Alleged Rejection under 35 U.S.C. § 102(b)**

Claim 1 has been rejected as allegedly anticipated by Willy Voit GMBH & Co., EP 0 446 866 (hereinafter, "Willy Voit"). Applicant has carefully reviewed the statement of the rejection and respectfully traverse because no *prima facie* case of anticipation is present with respect to the pending claims. It is well-established that a document anticipates an invention only if the document teaches each and every element of the claim. Willy Voit fails to do so in the present case, so reconsideration and withdrawal of this rejection is requested.

Willy Voit does not disclose the solid outer tube in pending claim 1. Instead, Figure 6 of Willy Voit shows a split sleeve 5 with a gap 6 in the wall of the sleeve that runs parallel to the axis of the sleeve. Willy Voit also does not disclose an outer tube with holes extending through

the tube wall, but instead discloses small indentations or grooves 3 (*see, e.g.*, Figure 8 of Willy Voit). These small indentations or grooves 3 do not extend through the split sleeve 5. For these reasons, Willy Voit does not anticipate claim 1, which requires a solid outer tube with holes extending through the tube wall.

Furthermore, Willy Voit does not disclose the use of circular holes, and therefore at a minimum does not anticipate claims 3-5. Willy Voit also does not anticipate claims 6 and 7 because it does not disclose the simultaneous formation of holes in that device (claim 6), nor does it disclose the use of the device to house an assembly for generating torque in a car start motor (claim 6).

Applicant notes that the present invention affords a higher degree of strength as compared to the device disclosed in Willy Voit because the outer sleeve in that device is not solid. In addition, the use of a solid outer tube in the present invention, as compared to the use of a split sleeve in Willy Voit, permits a closer force fit with the inner tube, which results in increased retention, strength and stability in the present invention.

In light of the above, Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection.

### **Conclusion**

It is believed that the application is now in condition for allowance. Applicants request the Examiner to issue a notice of Allowance in due course. The Examiner is encouraged to contact the undersigned to further the prosecution of the present invention.

The Commissioner is authorized to charge JHK Law's Deposit Account No. **502486** for any fees required under 37 CFR §§ 1.16 and 1.17 and to credit any overpayment to said Deposit Account No. **502486**.

Respectfully submitted,

**JHK Law**

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By: /Joseph Hyosuk Kim/

Joseph Hyosuk Kim, Ph.D.  
Registration No. 41,425

P.O. Box 1078  
La Canada, CA 91012-1078  
Telephone: (818) 249-8177  
Facsimile: (818) 249-8277